



5500/MTSA
January 16, 2004

International Council of Cruise Lines
2111 Wilson Boulevard, 8th Floor
Arlington, VA 22201

Dear Mr. Deno:

This letter is in response to your telephone request on January 7, 2004, for clarification regarding foreign flagged cruise ships subject to SOLAS Chapter XI and the International Ship and Port Facility Security (ISPS) Code being required to meet the components of 33 CFR Part 120 and 128 once they receive their International Ship Security Certificate (ISSC).

For new foreign flagged passenger vessels subject to SOLAS Chapter XI and ISPS, the vessels will not be required to submit their vessel security plans to the Coast Guard for review so long as the vessel has a valid ISSC and has fully implemented its ISPS approved ship security plan. Foreign flagged passenger vessels subject to SOLAS Chapter XI and ISPS making their initial visit to the United States will be treated in a similar manner.

Existing foreign flagged passenger vessels subject to SOLAS Chapter XI and ISPS, who have submitted security plans for Coast Guard review, will not be required to implement the security plan reviewed in accordance with 33 CFR 120 once they have received their ISSC and fully implemented their ISPS approved security plan. These vessels will not be required to resubmit security plans for 33 CFR 120 review so long as they remain fully ISPS compliant.

Each foreign flagged passenger vessel operating pursuant to the policy in this letter may only call at US ports with facility security plans reviewed pursuant to 33 CFR 128 or approved pursuant to 33 CFR 105. Each of these vessels must also notify the cognizant Captain of the Port that it is operating pursuant to the policy in this letter prior to its first US port call and maintain a copy of this letter on board for inspection.

Cruise ship terminals that have security plans reviewed in accordance with 33 CFR 128 and Navigation and Vessel Inspection Circular 4-02 must submit security plans for review and approval pursuant to the regulations in 33 CFR 105. These facilities must continue to operate in accordance with their previously reviewed facility security plan until 1 July 2004, or until their MTSA security plan is approved.

If you have any further questions regarding this matter, please contact Mr. John Sedlak at (202) 267-0489.

Sincerely,

/s/ L. L. HERETH

L. L. HERETH
Rear Admiral, U.S. Coast Guard
Director Port Security